

**MINUTES OF THE MEETING OF THE
ROWAN COUNTY BOARD OF COMMISSIONERS**

September 2, 2014 – 3:00 PM

J. NEWTON COHEN, SR. ROOM

J. NEWTON COHEN, SR. ROWAN COUNTY ADMINISTRATION BUILDING
.....

Present: Jim Sides, Chairman
Craig Pierce, Vice-Chairman
Jon Barber, Member
Mike Caskey, Member
Chad Mitchell, Member

Clerk to the Board Carolyn Barger, County Attorney Jay Dees and Assistant County Manager/Finance Director Leslie Heidrick were present.

Chairman Sides convened the meeting at 3:00 p.m.

Commissioner Caskey provided the Invocation and also led the Pledge of Allegiance.

CONSIDER ADDITIONS TO THE AGENDA

- Chairman Sides said he would like to add an item to the agenda pertaining to employee recognition.

Commissioner Pierce moved, Commissioner Mitchell seconded and the motion to add employee recognition to the agenda passed unanimously.

Chairman Sides added the issue as agenda item #2b.

- Chairman Sides added a Proclamation for Rowan County United Way Raised Here, Stays Here, Shared Here Day to the Consent Agenda. The motion was seconded by Commissioner Mitchell and passed unanimously.

Chairman Sides added the Proclamation as Consent Agenda item G.

- Chairman Sides moved to add a vote of the Board to appoint Leslie Heidrick, Assistant County Manager/Finance Director to Interim County

Manager. Commissioner Pierce seconded and the motion passed unanimously.

Chairman Sides added the issue as agenda item #2a.

- Chairman Sides announced that Closed Session would be moved from item #11 on the agenda to item #2c in the order of discussion.

CONSIDER DELETIONS FROM THE AGENDA

There were no deletions from the agenda.

CONSIDER APPROVAL OF THE AGENDA

Commissioner Mitchell moved, Commissioner Barber seconded and the vote to approve the agenda passed unanimously.

CONSIDER APPROVAL OF THE MINUTES

Commissioner Barber moved, Commissioner Pierce seconded and the vote to approve the minutes of the August 11, 2014, August 14, 2014, August 18, 2014, August 21, 2014 and August 25, 2014 Commission Meetings passed unanimously.

1. CONSIDER APPROVAL OF CONSENT AGENDA

Commissioner Barber moved approval of the Consent Agenda. The motion was seconded by Commissioner Pierce and passed unanimously.

The Consent Agenda consisted of the following:

A. Proclamation for Patriot Day

WHEREAS, on Tuesday September 11, 2001, terrorists attacked the United States of America in a series of senseless, cowardly, and despicable acts of war, directed at innocent men, women and children in the World Trade Center complex in New York City, the Pentagon in Washington D.C. and on board four passenger jets, resulting in the tragic loss of life of thousands of U.S. citizens and foreign nationals; and

WHEREAS, in the aftermath of the attacks, the people of the United States stood united in providing support for those in need, inspired by the heroic sacrifices of our firefighters, rescue and law enforcement personnel, military service members, and other citizens; and

WHEREAS, September 11th should not only be remembered as a day of great tragedy but also as a day of triumph, courage, kindness, love, hope and freedom, and as a reminder of the newfound unity, focus and strength in our Nation; and

WHEREAS, by U.S. House Joint Resolution 71 signed into law on December 18, 2001 (Public Law 107-89), Congress authorized and requested the President to designate September 11th of each year as "Patriot Day" and to call upon state and local governments to observe Patriot Day by displaying the flag of the United States at halfstaff and by observing a moment of silence at 8:46 a.m. marking the first plane crash.

NOW, THEREFORE, BE IT PROCLAIMED, that the Rowan County Board of Commissioners does hereby declare September 11, 2014 as Patriot Day in Rowan County and encourages all citizens to honor and respect the innocent victims of

September 11, 2001 and to salute the heroism of public safety and rescue workers, volunteers, local officials, and those who responded to the tragic events with courage, selfless compassion, determination and undying patriotism.

B. Proclamation for National Preparedness Month

WHEREAS, September is National Preparedness Month, a time set aside annually to encourage citizens to take necessary steps to prepare for any and all emergencies in their homes, businesses and communities; and

WHEREAS, Rowan County has made it a high priority to continue to build a strong and viable "culture of preparedness" throughout our county, including municipalities, colleges and universities, the private sector and the general public; and

WHEREAS, those who are prepared for emergencies recover faster and can help others who also may be affected, demonstrating community spirit in the face of adversity; and

WHEREAS, emergency preparedness is a shared responsibility, and every family that is able should prepare to be self-sufficient for the first 72 hours after disaster strikes; and

WHEREAS, Rowan County's citizens and families can start their preparedness actions by making an emergency plan, participate in citizen preparedness activities such as Community Emergency Response Team training and asked to review the County's Ready campaign's Web site at www.ReadyROWAN.org.

NOW, THEREFORE BE IT RESOLVED that the Rowan County Board of Commissioners does hereby proclaim September, 2014 as National Preparedness Month throughout the County, and urges all citizens to make preparedness a priority and work together to ensure that individuals, families, and our communities are prepared for disasters and emergencies of any type.

C. FY 2014 Year End Settlement (Tax Collections)

D. Award Service Sidearm to Retiring Lt. Thomas Lane

E. Employee Holiday Schedule

F. Declare Old Gas Chamber Surplus for Proposed Raffle

G. Proclamation for Rowan County United Way Raised Here, Stays Here, Shared Here Day (addition to the Consent Agenda)

WHEREAS, the Rowan County United Way was established in 1958 and is dedicated to improving the quality of lives through health and human services; and

WHEREAS, the County of Rowan is a strong advocate of the Rowan County United Way and its endeavors to assist and support the community through local agencies; and

WHEREAS, on September 12, 2014, Rowan County United Way will kick off their annual fundraising campaign with a farming theme; and

NOW, THEREFORE, BE IT PROCLAIMED that the Rowan County Board of Commissioners does hereby proclaim September 12, 2014 as "ROWAN COUNTY UNITED WAY RAISED HERE, STAYS HERE DAY, SHARED HERE DAY"

2. PUBLIC COMMENT PERIOD

Chairman Sides opened the Public Comment Period to entertain comments from any citizens wishing to address the Board. The following individuals came forward:

- Terri Burnham spoke in opposition to the concealed weapons law.
- Larry Wright spoke in support of the proposed text amendments regarding concealed carry onto County property.

With no one else wishing to address the Board, Chairman Sides closed the Public Comment Period.

ADDITIONS

2a. CONSIDER APPOINTMENT OF INTERIM COUNTY MANAGER

Chairman Sides moved to appoint Leslie Heidrick, the current Assistant County Manager/Finance Director, as the Interim County Manager. The motion was seconded by Commissioner Pierce and passed unanimously

2b. EMPLOYEE RECOGNITION

Chairman Sides read a portion of a letter from the International Institute of Municipal Clerks announcing the designation of Master Municipal Clerk to Clerk to the Board Carolyn Barger.

Chairman Sides said Rowan County had a lot of talented and efficient employees and he considered Ms. Barger to be among the elite group of professionals who put their heart and soul into every task. Chairman Sides said Ms. Barger did a lot to help the Commissioners and he congratulated her for a job well done.

A round of applause followed the recognition.

2c. CLOSED SESSION

(Note: This item was moved from agenda item #11 to agenda item #2c in the order of discussion).

Commissioner Pierce moved at 3:11 p.m. for the Board to enter Closed Session pursuant to North Carolina General Statute § 143-318.11(a)(1) to consider approval of Closed Session minutes (October 7, 2013, August 4, 2014, August 11, 2014, August 14, 2014, August 21, 2014 and August 25, 2014) and North Carolina General Statute § 143-318.11(a)(6) for personnel. The motion was seconded by Commissioner Barber and passed unanimously.

The Board returned to Open Session at 3:14 p.m.

Commissioner Barber said based on successful negotiations regarding the open County Manager's position, he moved to accept the offer from Michael Aaron Church, the current County Manager in Yadkin County. The motion was seconded by Commissioner Caskey and passed unanimously.

Commissioner Mitchell reminded the Board that he had been recused from the process in the search for a County Manager.

Upon being put to a vote, the motion on the floor passed 3-1 with Commissioner Pierce dissenting.

At this time, Chairman Sides introduced Mr. Church, who was in attendance for the appointment.

Chairman Sides called for a brief recess at 3:15 p.m. in order to allow Mr. Church's contract to be executed.

Chairman Sides reconvened the meeting at 3:19 p.m.

3. QUASI-JUDICIAL HEARING FOR CUP 04-14

Chairman Sides read the Chairman's Speech (Exhibit A) and declared the public hearing for CUP 04-14 to be in session. Chairman Sides said the hearing would focus on an application submitted by Danny Sloop to construct a residential storage facility on Tax Parcel 430-127 located at 5940 Old Beatty Ford Road.

The Clerk swore in those wishing to provide testimony in the case.

Senior Planner Shane Stewart presented the Staff Report (Exhibit B), as well as a power point presentation (Exhibit C). Mr. Stewart explained that Danny Sloop was requesting a conditional use permit to construct a 2,500 square foot residential storage facility to store an airplane and associated equipment for the Sloop family's private airstrip known as "41 NC Sloop Field" located at 5940 Old Beatty Ford Road, further described as tax parcel 430-127.

Mr. Stewart used the power point presentation (Exhibit C) to illustrate the site in question, as well as the surrounding properties.

Mr. Stewart highlighted the conditional use requirements and evaluation criteria as contained in the Staff Report (Exhibit B).

Mr. Stewart distributed sample findings of fact (Exhibit D) and said the Board of Commissioners must adopt findings of fact based on the evaluation criteria.

Mr. Stewart reported that the application met the criteria for approval based on the eight specific criteria for residential storage facilities and the six general conditional use criteria.

With no one else wishing to provide testimony in the case, Chairman Sides closed the public hearing.

Commissioner Mitchell moved the development of the property in accordance with the proposed conditions will not materially endanger the public health or safety.

FACT: This request complies with all eight (8) specific requirements identified in section 21-60 (10) for residential storage facilities.

FACT: The proposed storage building is subject to compliance with applicable building code standards.

Commissioner Barber seconded and the motion passed unanimously.

Commissioner Mitchell moved that the development of the property in accordance with the proposed conditions will not substantially injure the value of adjoining or abutting property, or that the development is a public necessity.

FACT: No material evidence was presented suggesting this request would injure property values.

Commissioner Barber seconded and the motion carried unanimously.

Commissioner Mitchell moved that the location and character of the development in accordance with the proposed conditions will be in general harmony with the area in which it is located and in general conformity with any adopted county plans.

FACT: As evidenced by the accompanying map and staff report, surrounding properties are largely used as woodland or pastureland with a scatter of residences south and west of the site.

FACT: The staff report indicates the proposed structure would be well under the allowable 10% for accessory structures (if residentially developed) based on the collective 100 plus acres owned by Jacob H.H. Sloop.

FACT: The building scale would not be out of character with the allowable accessory structure square footage on residentially developed properties or that found on agricultural land.

FACT: The Eastern Rowan Land Use Plan is silent on this topic and therefore would not be in conflict with the plan.

Commissioner Barber seconded and the motion passed unanimously.

Commissioner Mitchell moved approval of CUP 04-14 with any proposed conditions. The motion was seconded by Commissioner Barber and passed unanimously.

4. PUBLIC HEARING FOR CONCEALED CARRY TEXT AMENDMENTS

Planning and Development Director Ed Muire provided a power point presentation as he reviewed the proposed concealed carry text amendments.

The text amendments to Chapter 15 were highlighted as follows:

- Authorize individuals having a valid concealed carry permit to possess a handgun on County property in buildings
- Prohibit all other concealed weapons (NCGS 14-269) and open carry
- Statutory authority provided in NCGS 14-415.23 and NCGS 14-409.40

The text amendments to Chapter 16 were highlighted as follows:

- Align County policy with HB 937/SL 2013-369 allowing concealed carry in parks and recreation areas
- Also includes athletic fields and facilities and swimming pools
- Statutory authority provided in NCGS 14-415.23

Mr. Muire reported that the Planning Board recommended approval of the changes.

Mr. Muire recalled that during the August 18, 2014 Board of Commissioners Meeting, there were various questions as to enforcement of the changes, as well as with possession of a concealed handgun on educational property. Mr. Muire said based on the questions, he had prepared the following Question and Answer information.

- ***Are concealed carry permittees (CCP) prohibited from possessing a concealed handgun on educational property?***

Yes and No. NCGS 14-269.2(k) authorizes that a CCP may possess the handgun in a closed compartment or locked in their vehicle but may not carry on school property (14-269.2).

- ***How are the boundaries of educational property recognized by a (CCP) especially as it relates to a prohibition on concealed carry?***
Aside from the traditional school campus, athletic field or bus, no statutory definition or case law suggest the boundaries as it relates to the extracurricular provision. However, it seems that posting of notice for public awareness and school sponsorship of an event is key. Again, without benefit of statute or case law its applicability may be interpreted differently. However, it is apparent that if a CCP holder or anyone possessing a firearm and notice has been conspicuously posted, then that person could be charged with a felony.

- ***Are CCP allowed to carry handguns in state and federal offices?***
No. GS 14-415.11(c)(6) prohibits "in a building housing only State or federal offices" and GS 14-415.11(c)(7) prohibits "in an office of the State or federal government that is not located in a building exclusively occupied

by the State or federal government.” Likewise GS 14-415.11(c)(5) prohibits “in a law or correctional facility.”

- **If a County owned building houses state or federal offices, can a CCP possess their handgun in the building?**

Yes, provided the CCP does not enter the offices of the State and federal employees.

The Board members discussed at length their concerns regarding posting notices for extracurricular/school sponsored educational events. In conclusion, the Commissioners were in agreement to adopt the ordinance as presented with no notices being posted for the above referenced events at this time.

Chairman Sides opened the public hearing to receive citizen input regarding the proposed concealed carry text amendments. The following individuals came forward to address the Board.

- Pete Prunkl spoke in opposition to proposed text amendments and encouraged the Board to table the issue until the new County Manager was in office. Mr. Prunkl also provided the Board with two (2) handouts by the North Carolina Sheriff's Association.
- Will McCubbins spoke in support of the proposed text amendments.
- Rick Johnson spoke in support of the proposed text amendments.
- Steve Karriker spoke in support of the proposed text amendments.
- Andy Stevens, representing Grass Roots North Carolina, spoke in support of the proposed text amendments.

With no one else wishing to address the Board, Chairman Sides closed the public hearing.

Chairman Sides discussed county properties that were leased and said at some point the matter of leased county properties would have to be addressed.

Commissioner Pierce moved to approve the concealed carry text amendments as presented by Planning Director, Ed Muire, and have it reflect what the state currently has in effect. The motion was seconded by Commissioner Caskey and passed unanimously.

Commissioner Caskey moved that any property the County leased to an outside entity could make its own decision as to whether to allow concealed carry while the property is under lease with the County. The motion was seconded by Commissioner Pierce.

Chairman Sides asked if the entity would be required to post notification and Commissioner Caskey said yes. Chairman Sides asked if Commissioner Caskey would include the language as part of the motion.

Commissioner Caskey then amended his motion to add that the entity leasing space from the County would post a sign not to allow concealed carry. The motion was seconded by Commissioner Pierce and passed unanimously. Mr. Muire inquired as to the effective date for the text and Chairman Sides responded the text amendments were effective immediately.

The text amendments were presented as follows:

Excerpts from Chapter 15 [Offenses] of the Rowan County Code of Ordinances

Sec. 15-1. Loitering, etc.

It shall be unlawful for any person to loiter, sleep or otherwise impede the flow of traffic on any steps or in any passageways in any public buildings or on sidewalks, drives or streets owned by the county.

Sec. 15-2. Weapons prohibited on county property.

- (a) Except as provided in subsection (b) below, all persons are prohibited from possessing concealed weapons as defined in G.S. 14-269 in any building or recreational parks owned or operated by the county. ~~excluding parking lots and campsites.~~
- (b) This prohibition shall not apply to the following persons:
 - (1) Officers and enlisted personnel of the armed forces of the United States when in discharge of their official duties as such and acting under orders requiring them to carry weapons.
 - (2) Civil officers of the United States while in the discharge of their official duties.
 - (3) Officers and soldiers of the militia and national guard when called into actual service.
 - (4) Sworn law enforcement officers.
 - (5) Animal control officers when in discharge of their official duties as such and acting under governmental policies or regulation authorizing them to carry weapons.
 - (6) Any other person who has ~~proven a specific need and has received written permission from majority vote of the county commissioners~~ **a valid concealed handgun permit issued in accordance with Chapter 14 Article 54B of the North Carolina General Statutes or considered valid under NCGS-14-415.24, and the person is carrying the concealed handgun in accordance with scope of the handgun permit as set out in NCGS 14-415.11(c). This provision does not otherwise authorize said person to carry or possess a concealed or deadly weapon(s) itemized in NCGS 14-269(a).**

(7) Any other person authorized to carry concealed weapons pursuant to NCGS 14-269(b) (as amended).

~~(c) A conspicuous notice shall be posted at each entrance to any property set forth in subsection (a) above stating, "Possession of Weapon(s) or Carrying a Concealed Handgun is Prohibited.~~

A conspicuous notice shall be posted at each entrance to any County-owned property set forth in subsection (a) above stating, "Possession of a Concealed Handgun is Allowed Pursuant to NCGS 14-54B. All other Weapons Prohibited."

(c) ~~(d)~~ Penalties:

- (1) Any person in violation of this ~~section~~ **section** shall be guilty of a misdemeanor and upon conviction shall be fined five hundred dollars (\$500.00) or imprisoned for six (6) months or both.
- (2) Weapons possessed in violation of this section are hereby declared to be contraband. The sheriff or his designee shall hold such weapon for disposal pursuant to court order. In the absence of any court order, the weapon ~~shall be destroyed~~ **may be disposed of in a manner authorized by NCGS 14-269.1.**
- (3) Should any provision of this section be declared invalid or unconstitutional by any court of competent jurisdiction, such declaration shall not affect the validity of the section as a whole or any part thereof which is not specifically declared to be invalid or unconstitutional.

Sec. 15-3. Registered sex offenders prohibited from entering Rowan County parks, recreation areas, fairgrounds and public libraries.

(a) For purposes of this **subsection**, the following definitions shall apply:

- (1) **Registered sex offender.** An individual who is registered by a state or federal agency as a sex offender and whose name is published on any state or federal registered sex offender listing, including, but not limited to, the sex offender registry established in [Chapter 14](#), Article 27.1 of the North Carolina General Statutes.
- (2) **Rowan County parks, recreation areas, fairgrounds, public libraries.** Any county owned, leased, operated or maintained land which is designated by the County of Rowan as a park, recreation facility, fairground, or library and any parks, recreation facilities, fairgrounds, or libraries in the unincorporated areas of Rowan County and designated by resolution by the Rowan County Board of Commissioners with support and approval of the Rowan County Sheriff.

(b) No registered sex offender shall enter into or upon any Rowan County parks, recreation area, fairgrounds, or public libraries operated by the County of

Rowan. Each entry into such areas, regardless of the time period between such entries, shall constitute a separate offense under this section. An exception is provided when such facility, if used as a polling place for an election, the registered sex offender may enter for the limited purpose of voting if he/she qualifies to do so at that polling place.

- (c) This section shall be enforced by the Rowan County Sheriff's Department or other law enforcement agency with jurisdiction pursuant to any mutual aid agreement then in place providing for such enforcement responsibility.
- (d) Anyone who is found in violation of this section shall be guilty of a Class 3 misdemeanor and shall be fined not more than five hundred dollars (\$500.00) per offense and/or thirty (30) days in jail as set forth in G.S. [14-4](#), or as such statute may be amended from time to time.
- (e) The county manager or his designee shall post this regulation at the main entrance of each park, recreation area, fairground and public library within thirty (30) days of passage of this section.

Secs. 15-4—15-25. Reserved.

Excerpts from Chapter 16 [Parks and Recreation] of the Rowan County Code of Ordinances

Sec. 16-26. Definitions.

Whenever used in this article or in any Rowan County park or recreation center regulation, the following respective terms, unless otherwise therein expressly defined, shall mean and include each of the meanings herein respectively set forth.

Bathing area means any beach or water area designated by the commission as a bathing area.

Bridle path or trail means any path or trail maintained for persons riding on horseback.

Commission means the county parks and recreation commission.

Foot path or trail means any path or trail maintained for pedestrians.

Owner means any person owning, leasing, operating or having the exclusive use of a vehicle, animal or any other property under a lease or otherwise.

Park means, unless specifically limited **herein**, includes all designated parks, parkways, sites and other recreational areas under the jurisdiction of the county parks and recreation commission.

Permits means any written license issued by or under authority of the commission, permitting the performance of a specified act or acts.

Person means any natural person, corporation, company, association, joint stock association, firm or copartnership.

Recreation facility, as defined in NCGS 14-415.23 (c) and (d) regarding carry of a concealed handgun, includes only the following:

- (1) An athletic field, including any appurtenant facilities such as restrooms, during an organized athletic event if the field had been scheduled for use with the Rowan County Parks and Recreation Department.***
- (2) A swimming pool, including any appurtenant facilities used for dressing, storage of personal items, or other uses relating to the swimming pool.***
- (3) A facility used for athletic events, including, but not limited to a gymnasium.***

NOTE: The term recreation facility does not include any greenway, designated biking or walking path, an area that is customarily used as a walkway or bike path although not specifically designated for such use, open areas or fields where athletic events may occur unless the area qualifies as an "athletic field" pursuant to item (1) of this definition, and any other area not specifically described in this definition for recreation facility.

Regulation means any regulation duly adopted by the county parks and recreation commission and posted as a county parks and recreation center regulation.

Unnecessary stopping means bringing a vehicle to a complete stop at a point other than in a parking place, or other than in conformity with traffic regulations and other than because of a defect in such vehicle.

Sec. 16-42. Firearms, explosives, fires, etc.

- (a) *Firearms.* No person except employees or officers of the county parks shall carry or possess firearms of any description or airguns within any park.

(b) Concealed Carry of Handguns. No person, except those authorized by Section 15-2(b)(6) of the Rowan County Code or NCGS 14-269, may possess a concealed handgun in a Rowan County Park, recreation facility or building and appurtenant premises. Rowan County Parks and Recreation Facilities include:

- **Dan Nicholas Park** 6800 **Bringle Ferry Road**
Salisbury, NC
- **Dunn's Mountain Nature Preserve** 1740 **Dunns Mountain**
Road Salisbury, NC
- **Eagle Pointe Nature Preserve** 665 **Black Road Salisbury,**
NC
- **Ellis Park** 3541 **Old Mocksville Road**
Salisbury, NC
- **Sloan Park** 550 **Sloan Road Mt. Ulla,**
NC

Notwithstanding this provision, each of the County parks referenced herein may have a scheduled or an occasional extracurricular activity sponsored by the Rowan-Salisbury School System or other similar educational entity that may render all or some designated areas as “educational property” defined in NCGS 14-269.2(a)(1). In these instances, possession of a concealed weapon, handgun or otherwise, in the park or designated areas during these activities may constitute a misdemeanor or felony as provided in NCGS 14-269.2. Conspicuous notice of the extracurricular activity and its duration shall be posted at the entrance to the park the day of the event by the Parks and Recreation Department.

- ~~(b)~~ **(c). Concealed or Deadly Weapons. No person may posses or carry concealed or deadly weapons as defined in NCGS 14-269(a) in a Rowan County Park.**

- (e) **(d) Explosives.** No person shall bring into or have in any park any explosive or explosive substance

- (e) *Fires, lighted cigarettes, etc.* No person shall kindle, build, maintain or use a fire other than in places provided or designated for such purposes except by special permit. Any fire shall be continuously under the care and direction of a competent person over sixteen (16) years of age from the time it is kindled until it is extinguished. No person within

the confines of any park shall throw away or discard any lighted match, cigarette, cigar or other burning object. Any lighted match, cigarette, cigar or other burning object must be entirely extinguished before being thrown away or discarded.

- (f) *Smoking.* No person shall smoke in any structure or place in any park where smoking is prohibited. Smoking may be forbidden by the commission or its authorized agent in any part of any park when it is deemed the fire hazard makes such action advisable.

5. SNIA 01-14 CONSIDERATION: JOSEPH KELLER

Planning and Development Director Ed Muire reported that Special Non-Residential Intensity Allocation (SNIA) 01-14 application was prepared by Morton Engineering for consideration of a mini-warehouse facility located in the 5800 block of Wright Road. The property owner, Joseph Keller, resides across from the proposed facility at 5830 Wright Road.

Due to the property's location in the Coddle Creek Watershed, impervious coverage for non-residential development is limited to 12% of the lot size. However, site plan approval by the Commission may grant an increase of impervious cover up to 70% of the lot.

Mr. Muire said after review of the application, Staff recommended approval.

Commissioner Pierce inquired as to whether any neighbors had complained about the request and Mr. Muire responded no. Mr. Muire said the request was allowed in RA.

Commissioner Mitchell moved approval of SNIA 01-14. The motion was seconded by Commissioner Pierce and passed unanimously.

6. CONSIDER REQUEST TO NAME PORTION OF FAITH ROAD IN MEMORY OF REPRESENTATIVE W. EUGENE MCCOMBS

Chairman Sides said Charlie Walters, a former Rowan County Commissioner, had submitted a request, along with the supporting documentation for the Board to consider naming a portion of Faith Road in memory of Representative W. Eugene McCombs.

Chairman Sides said Mr. McCombs served not only as a member of the House of Representatives but served locally as a member and Mayor of the Town of Faith, and as a Rowan County Commissioner.

Chairman Sides said he personally had the pleasure of serving with Mr. McCombs on the Board of Commissioners back in the 1980's. Chairman Sides described Mr. McCombs as a "real gentleman" and said he appreciated the way

Mr. McCombs had treated him as a fellow Commissioner. In conclusion, Chairman Sides said Mr. McCombs was worthy of the recognition.

Chairman Sides moved to agree to the naming of a portion of Faith Road in Memory of Representative W. Eugene McCombs. The motion was seconded by Commissioner Barber and passed unanimously.

7. CONSIDER REQUEST FROM SHERIFF AUTEN FOR WAREHOUSE SPACE

Commissioner Pierce said the Sheriff had a lack of adequate warehouse space for confiscated merchandise, vehicle fleet, etc.

Commissioner Pierce said the Sheriff submitted a request for the use of the county-owned facility located at Airport Road, Salisbury, NC for the purpose of storing records and equipment. The Sheriff's Office currently has equipment stored at several locations throughout the County, as well as inside the Justice Center and Detention Center. The facility would allow the agency to store and maintain all equipment at one location instead of multiple places.

Commissioner Pierce said it was suggested that it would be more feasible to relocate the Facilities Management Department from Airport Road to the vacant former Big Lots space at West End Plaza. The Airport Road facility was fenced with razor wire and had the capacity to secure and house the materials and equipment for the Sheriff.

Commissioner Pierce felt the move would be the most cost-effective manner to address the space needs for the Sheriff.

Commissioner Pierce moved to grant the request from the Sheriff to take over the maintenance facility and to move maintenance to the Big Lots building at West End Plaza. The motion was seconded by Commissioner Barber.

Chairman Sides said it disturbed him to learn that Facilities Management Staff was not apprised of the desire to move them to the West End Plaza. Chairman Sides said there were currently a great deal of records being stored on Airport Road for the Department of Social Services (DSS) and Health Department. Chairman Sides felt the process could have been handled differently. Chairman Sides said while the plan might be a great idea, he was concerned the actual costs for the proposed move had not been determined. Chairman Sides said based on the fact the County had not yet received the space needs study he could not support the request at this time.

Commissioner Pierce explained that he had talked with the Sheriff and the Sheriff said it would not be a problem to leave the DSS and Health records stored at the Airport Road facility until the County was ready to relocate the records. Commissioner Pierce said the biggest concern for the Sheriff was he needed

space for the department's vehicles. The Airport Road facility would allow the Sheriff to have all vehicles in one location. Commissioner Pierce pointed out the jail annex was located off Highway 29 and the Airport Road site was on the way to the jail annex. Commissioner Pierce felt it was more cost effective to have the downtown jail, Airport Road facility and jail annex in a straight route as opposed to traveling to West End Plaza for the confiscated items. Commissioner Pierce said there would be no costs involved for the Sheriff's move to Airport Road. The only upfit would be for relocating Facilities Management. Commissioner Pierce said the upfit would involve building a few partition walls on the interior for a few offices and the rest would be warehouse space. Commissioner Pierce pointed out the safety aspect with regards to gasoline-powered equipment such as mowers, etc. being stored inside the former Big Lots location. Commissioner Pierce said the plan had been thought out and there would be cost savings realized.

In response to an inquiry from Commissioner Caskey, Commissioner Pierce said the moving costs would be minimal. Commissioner Pierce said the request was to let the Sheriff take over the Airport Road facility and move Facilities Management to the former Big Lots building at the West End Plaza.

Commissioner Caskey asked if the move could be made without any upfits. Commissioner Pierce said security cameras may need to be installed at Airport Road, which would have had to be done at Big Lots, as well. Commissioner Pierce said the fencing and razor wire were already in place at Airport Road but would have had to be installed at the West End Plaza.

Upon being put to a vote, the motion on the floor passed 4-1 with Chairman Sides dissenting.

8. SELECTION OF ENGINEERING SERVICES FOR WATER AND WASTEWATER FEASIBILITY STUDY

Chairman Sides said the County had requested Statements of Qualifications on various engineering firms interested in providing services for extending water and sewer lines along the northern and southern ends of the I-85 corridor.

The qualified engineering firm will review and analyze the current lines available and develop a strategy for attracting new and expanded clients for economic development. After contacting the various municipalities and Salisbury Rowan Utilities (SRU), the engineer will compile the gathered information in an updated water and sewer feasibility study.

The County received three (3) professional service proposals from McGill Associates, Municipal Engineering, and Hazen and Sawyer Engineering.

Chairman Sides said he and former County Manager Gary Page had reviewed the proposals and recommended McGill Associates for negotiation of services.

Commissioner Sides moved, Commissioner Pierce seconded and the vote to elect McGill Associates passed unanimously.

9. CONSIDER APPROVAL OF BUDGET AMENDMENTS

Finance Director Leslie Heidrick presented the following budget amendments for the Board's consideration:

- Finance – To recognize reserved funds from FY 2014 for Parks and Recreation. Reserved funds represent money received by a Department for a restricted purpose. The funds that have not been spent by year-end are budgeted for expenditures in the new year - \$46,740
- Sheriff - Recognize check from Robertson Family Foundation for \$5,000 and budget to proper expense account for expenditures
- Finance – Correct Sheriff's Office revenues and restricted fund balance. To appropriate Katrina funds to purchase a generator for the Rowan County Rescue Squad - \$46,900
- Finance – Appropriate fund balance and expenditures for the remainder of Airport Hangar Project - \$60,432

Commissioner Barber moved approval of the budget amendments as presented. The motion was seconded by Commissioner Mitchell and passed unanimously.

10. CONSIDER APPROVAL OF BOARD APPOINTMENTS

ROWAN COUNTY HOUSING AUTHORITY

There are two (2) vacancies and the following applications have been received:

- Olin Miles for reappointment
- Hattie Johnson
- Stephanie Wagner Overly
- Kenneth Lydell Fox

The terms are for five (5) years beginning September 1, 2014 and expiring August 31, 2019.

Commissioner Pierce nominated Hattie Johnson and Kenneth Fox.

Commissioner Caskey nominated Olin Miles.

The votes for the individual applicants were as follows:

- Hattie Johnson – supported by Commissioners Sides, Pierce and Barber
- Kenneth Fox – unanimously supported
- Olin Miles – supported by Commissioners Caskey and Mitchell

Hattie Johnson and Kenneth Fox were appointed.

CLEVELAND VFD FIRE COMMISSIONER

There are three (3) vacancies and applications have been submitted by the following:

- Patrick Phifer
- Claude L. Rogers, Jr. for reappointment
- Connor Rankin Hutchison, Jr. for reappointment
- Arthur Brown

The terms are for two (2) years beginning October 1, 2014 and expiring September 30, 2016.

Commissioner Pierce nominated Patrick Phifer, Claude Rogers and Arthur Brown. The nominations carried unanimously.

HISTORIC LANDMARKS COMMISSION

The Historic Landmarks Commission is requesting removal of Dawn Courtney Mason due to lack of attendance.

Commissioner Mitchell made a motion to remove Dawn Courtney Mason. The motion was seconded by Commissioner Caskey and passed 4-1 with Commissioner Pierce dissenting.

11. CLOSED SESSION

(Note: This item was moved to agenda item #2a in the order of discussion).

12. ADJOURNMENT

There being no further business to come before the Board, Commissioner Pierce moved to adjourn at 4:26 pm. The motion was seconded by Commissioner Mitchell and passed unanimously.

Respectfully Submitted,

Carolyn Barger, MMC, NCCCC
Clerk to the Board/
Assistant to the County Manager